

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DECLARATION UNDER 37 C.F.R. §1.132		<small>ATTORNEY DOCKET NO.</small> 70020.0066USWO	
		<small>U.S. APPLICATION SERIAL NO.</small> 10/543,092	<small>CONFIRMATION NO.</small> 4088
		<small>FILING DATE</small> July 22, 2005	
<small>INVENTOR(S)</small> Takashi MIYAMATSU et al.	<small>EXAMINER</small> John S Y Chu	<small>GROUP ART UNIT</small> 1752	
<small>TITLE OF APPLICATION</small> SULFONIUM SALT COMPOUND, PHOTOACID GENERATOR, AND POSITIVE-TONE RADIATION-SENSITIVE RESIN COMPOSITION			

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We, Satoshi Ebata and Yong Wang, hereby declare as follows:

1. We are each named as inventors in the above-referenced U.S. Patent

Application No. 10/543,092 (hereinafter “the ‘092 application”).

2. We are each also named as inventors on U.S. Patent No. 6,908,722 B2 to Ebata et al. (hereinafter referred to as “the ‘722 patent”).

3. Takashi Miyamatsu and Hirokazu Niwata are also named as inventors on the ‘092 application.

4. We, along with Takashi Miyamatsu and Hirokazu Niwata, each made an inventive contribution to subject matter claimed in the ‘092 application.

5. Takashi Miyamatsu and Hirokazu Niwata did not make an inventive contribution to subject matter claimed in the ‘722 patent.

6. Eiji Yoneda, Tomoki Nagai, Tatsuya Toneri, Haruo Iwasawa and Yukio Nishimura are also named as inventors on the ‘722 patent.

7. We, along with Eiji Yoneda, Tomoki Nagai, Tatsuya Toneri, Haruo Iwasawa and Yukio Nishimura, each made an inventive contribution to subject matter claimed in the '722 patent.

8. Eiji Yoneda, Tomoki Nagai, Tatsuya Toneri, Haruo Iwasawa and Yukio Nishimura did not make an inventive contribution to subject matter claimed in the '092 application.

9. We have reviewed the Official Action mailed on June 26, 2007 in the '092 application.

10. It is our understanding that Claims 1-8 of the '092 application have been rejected under 35 U.S.C. §102(e) as allegedly being anticipated by the '722 patent.

11. It is our understanding that the Official Action is relying upon the disclosure in the '722 patent of the compound 1-(4-n-butoxynaphthalen-1-yl) tetrahydrothiophenium nonafluoro-n-butanesulfonate) which is disclosed at column 74, lines 43-44 of the '722 patent. It is also our understanding that the Official Action is relying upon the disclosure of a photoresist composition comprising this compound which is disclosed in Table 7, column 78, lines 20-25 of the '722 patent.

12. We contributed the subject matter disclosed in the '722 patent which was relied upon in the Official Action mailed on June 26, 2007. In particular, we contributed the subject matter disclosed in the '722 patent which is set forth in paragraph 11 above.

13. Eiji Yoneda, Tomoki Nagai, Tatsuya Toneri, Haruo Iwasawa and Yukio Nishimura did not contribute to the subject matter disclosed in the '722 patent which was relied upon in the Official Action mailed on June 26, 2007. In particular, Eiji Yoneda,

Tomoki Nagai, Tatsuya Toneri, Haruo Iwasawa and Yukio Nishimura did not contribute to the subject matter which is set forth in paragraph 11 above.

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

September 25, 2007
Date

Satoshi Ebata
Satoshi Ebata

September 25, 2007
Date

ywang
Yong Wang